

REMARKS

The Examiner, in the above-identified Office Action/Restriction Requirement, mailed July 25, 2006, has issued a Restriction Requirement, presented on pages 2-5 of the Action, asserting under 35 USC 121 that the pending claims constitute 9 distinct inventions. The Examiner asserts that the inventions constitute different inventions, and that the search of the multiple groups would impose a serious burden on the Examiner.

Applicants respectfully point out that while the cover sheet for the Restriction Requirement recites claims 1-24, as pending in the present application, the body of the Restriction Requirement presents claims 1-19. (Perhaps the Examiner was looking at the parent application for which this application is a CIP.) Accordingly, Applicants will interpret the Restriction Requirement as it applies to claims 1-24 as filed as part of the present application.

Applicants elect with traverse Group I, as remaining claims 4 and 13 as amended, drawn to mutant IL-13 protein and compositions, and have canceled the remaining claims 1-3, 5-12 and 14-24, as fully supported by the specification as filed.

Applicants reserve their rights to file or add additional claims and species according to the results of the search and examination by the Examiner, as well as filing divisional or continuation applications directed the subject matter of the cancelled claims.

If any fees are due in connection with the filing of this Response, authorization is hereby given to charge the amount of such fee to Deposit Account No. 10-0750/CEN0320CIP1/GKT in the name of Johnson & Johnson.

Respectfully submitted,

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